

DURANT WEEKLY NEWS

OFFICIAL NEWSPAPER OF THE COUNTY OF BRYAN

Volume XVIII.

DURANT, OKLAHOMA, FRIDAY, JANUARY 9, 1914.

Number 2.

MANY CASES DISMISSED.

County Court Also Receives Pleas of Guilty.—Took Recess From Wed. Noon till Thursday.

County court convened Wednesday morning, as per arrangement, and many cases were considered, several being dismissed by the State, pleas of guilty being received in others, and in a few forfeitures of bonds being taken. The following cases were dealt with:

Odel Hart, charged with violating prohibition law, dismissed by State.

Ed Lanier, charged with violating prohibition law, bond forfeited and alias warrant issued.

Bessie Dean, assisting prisoners to escape, dismissed by State.

Nick Stewart, violating prohibition law, two cases, bond forfeited and alias warrant issued.

Mun Stewart, violating prohibition law, bond forfeited and alias warrant issued.

Oliver Beablen and Sam Bellow, malicious mischief, dismissed by State.

Jake and B. F. Miller, trespassing, dismissed by State.

John Seay, cruelty to animals, dismissed by State.

Buck Powell, vagrancy, dismissed by State.

Alex Bardy, violating prohibition law, dismissed by State.

N. N. Moore, violating prohibition law, dismissed by State.

Lorn Blecker, vagrancy, dismissed by State.

Baxter Edwards, Marcus Johnson and D. T. Loving, attempting to escape from prison, continued for the term.

Will Holder, gaming, dismissed by State.

"THE ROSEMAID," A SPECTACULAR SHOW.

Every visitor to Broadway last season returned home whistling the "Rose Song" or some other "catchy" melody from "The Rose Maid," which is coming to the Durant Opera House on Tuesday, Jan. 13. The pretty opera ran for two hundred nights before New York could drink its full of the sweet enduring melodies. This new work proved so captivating in its music, so full of romance and laughter and so refreshing in its pictorial features that it was hailed as a prettier work than its sister production, "Spring Maid," the previous year.

On account of "The Rose Maid's" many charming features, it is difficult to name anyone in particular as excelling all the others. The opera was considered so much above similar offerings of recent years that it became the talk of New York. For six months The Globe Theatre was packed to the doors. Music lovers were so eager to enjoy the piece that when other New York theatres were put out of commission by the hot weather, the Globe was forced to remain open to accommodate the crowd. "The Rose Maid" is the first operetta since "The Merry Widow" to score a record breaking all summer run.

Manager Frank C. Payne is now presenting this splendid production while its songs are still popular and before its wealth of comedy, dances and fun have been cheapened by crude imitations. The American production was made under the personal direction of the gifted composer Bruno Granichstaedten—another of that cadre of Viennese musicians who have

TRAINMEN ARE IN BAD.

Auditor and Another Charged With Assault and Battery as Result of Ejecting Passengers.

As the direct result of ejecting from their train passengers who, when paying cash fare refused to be held up for three cents per mile, Joe Nichols, auditor for the Katy and another party for whom a John Doe warrant was issued, are each charged in county court with three cases of assault and battery.

It is alleged that on the 29th day of December, 1913, these trainmen ejected Caddo three men, J. M. Raley, P. Green, and M. McDaniel. The facts as reported to the News are that these men were traveling inter-State, and paid to Durant, where they got off to get tickets, but were unable to do so for some reason, and boarded the train again for some point north of here, and tendered the auditor the legal fare of two cents per mile, which the auditor refused, and that as a result the three men were all put off of the train at Caddo.

According to George Henshaw, member of the corporation commission, the action of the M. K. & T. in instructing its auditors to collect 3 cents a mile when cash fare is paid, is a direct violation of the orders of the commission as sustained by the supreme court, and it is thought by persons familiar with the law governing such cases, that the officials of the road have by their actions subjected themselves to heavy fines, should the matter be pushed.

There is a deal of legislation against railroads which is unfair; there are many damages instituted against railroads that are unfair; but there is no doubt that the action of the railroads in this cash fare matter is a positive outrage, and should be strictly dealt with.

CITIZENS OF CADDO WORK FREE.

The county commissioners Wednesday were in receipt of a letter from the Good Roads Association of Caddo, sending them the names of fifteen citizens of that city and vicinity who had agreed to act as overseers until the first of July without pay. The men stated that they were going to work, and wanted the privilege of serving the county free, and that they would endeavor to build up the roads leading into Caddo.

set the world a-waltzing with their tuneful measures. "The Rose Maid" begins and ends with a roving scene of musical gaiety, while the intervening two and one-half hours are filled with dainty waltzes, two steps, tangos and "Turkey Tots" that start the toes a-tapping. Its brilliant concerted numbers rouse the audience to volumes of applause.

The chorus has been described as a rosebud garden of modish girls with every girl a fashion plate. The production is said to be more spectacular and impressive than those generally furnished a light opera success. The company coming to this city is the only organization appearing in "The Rose Maid" so that music lovers may be sure of hearing the opera presented at its best.

Seats now on sale at Postoffice Store.

TUTTONS HELD WITHOUT BOND.

For Murder of John Simms.—Holmes Christian Given Bond in the Sum of \$500 for Robbery.

As a result of examining trial of Gus and Tol Tutton, held in the county court last Friday on a charge of murdering John Simms near Platter, during a crap game, Gus and Tol Tutton of Woodville were bound over and held without bond on charges of murder, and Holmes Christian was held on \$5,000 bond on a charge of robbery, it being testified that he had taken some money out of John Simms' pockets after he had been killed by the Tuttons.

A number of witnesses from the Platter community were examined, the best of them being Ed Hartwell, a party to the crap game, who was out across the face with a knife in the hands of one of the Tuttons. He told a graphic story of the killing and of all the events leading up to it, which under the carefully propounded questions of Attorney W. E. Utterback for the defense, gave those present a clear account of the tragedy.

The two Tutton boys were both bound over and held without bond on charges of murder, and Christian was charged with robbery and held on \$5,000 bond which he made. It was testified so we learn, that Christian took some money out of the pockets of John Simms after he had been killed, hence the robbery charge.

DURANT MOVIES REJECTED.

The motion pictures taken of the city and county some time ago, were received in the city Tuesday, and a committee from the Chamber of Commerce and W. A. Durant, of the Panama commission, were shown the pictures on the canvas at the Orpheum Theatre. In some manner the pictures were damaged, and were not as clear as were desired, while a number of scenes had been left off the reel, so it was decided that they would be sent back, and not shown at this time, and that the pictures would be taken over again. Fortunately the pictures of the Bryan county fair were very good, and these can be saved.

Several other scenes were good, and these will be taken off the reel, and added to the pictures when the reel is taken again, which will be just as soon as the picture man can get here.

APPOINTS BUILDING COMMITTEE.

At the meeting of the session of Elders at the First Presbyterian church on Monday afternoon a discussion of plans and methods for the erection of their new church were discussed. A committee of eight, composed of Judge A. H. Ferguson, G. M. Hagood, Dr. Lively, Horace Marshall, O. R. Nicholson, W. B. Morrison, W. A. Wagner and Frank Lewis, was appointed to have supervision of the matter, and they in turn will appoint individual committees to do work as the occasion may arise. The Presbyterian people are of one mind in regard to their new church, and that is that it must be erected at once and that it must be a home in every respect.

LIVING MELODIES IN

"THE ROSE MAID."

Of all the new operas introduced from Europe "The Rose Maid" is said to contain more good music that promises to live long after the production is forgotten than any of its sister pieces now before the public. This prettily named opera is coming to the Opera House Jan. 13, and is now on its second annual tour visiting those cities where it was impossible to appear last year. During its six months' run on Broadway, it captured the hearts of all New York where it was the first opera since "The Merry Widow" to score an all-summer record. Every audience quickly catches its tuneful melodies and such numbers as the fascinating "Rose Waltz," "Manikin" duet or "Moon Song" cannot be forgotten once they have been heard. "The Rose Maid" possesses romance, comedy and melody in pleasant proportions, three charming qualities always necessary to success in musical plays.

ASKS DAMAGES AGAINST CITY.

It was rumored this week that John Biffle would ask the city to pay damages in the sum of approximately \$200 for injuries which were sustained when his child fell into a sewer ditch being dug. No suit has been filed to date. It is said at the city hall, however, that the city is in no wise liable for such things for the reason that the company in charge of the sewer extension work has given bond to protect the city against such things.

RULINGS ON PROBATE MATTERS.

County Judges in Conference With Cato Sells About Rules.

County Judge Rappolee returned Wednesday morning from McAlester, where he had been to attend the conference of the county judges and attorneys of the eastern part of Oklahoma, with Cato Sells, commissioner of Indian Affairs. The conference was held for the purpose of discussing and going over plans for the future, to safeguard the interests of the Indian wards. On Friday and Saturday similar conferences were held by Mr. Sells with judges and attorneys of the northern part.

The same spirit of co-operation manifested by judges and attorneys at the Muskogee conference touching the Cherokee, Seminole and Creek Nations was present at McAlester with the judges and attorneys of counties in the Choctaw nation. Eight of the ten counties were represented, and the rules and regulations resulting from the Muskogee conference were adopted with but two alterations. The fees to be allowed attorneys in handling states in the Choctaw nation were fixed as follows: For the first \$500, 10 per cent; between \$500 and \$1,500, 5 per cent; between \$1,500 and \$3,000, 2 per cent; and all in excess of \$3,000, 1 per cent.

It was agreed that the Probate courts would approve no deed to inherit lands executed by full-blood heirs taken within thirty days of the death of the allottee. Commissioner Sells and officers of the Indian department pronounced this as being a wholesome rule, one that will prevent the taking of deeds, as one expressed it, "over the coffin." Judges of counties embracing the three nations already accepting the rules will be asked by the Indian office at Muskogee to make application of the same rule within their jurisdiction. The meeting also adopted a resolution urging that Congress be memorialized to authorize Probate courts to supervise the proceeds coming from sales of full-blood lands.

A resolution was adopted at the meeting, offered by J. W. Clark, county attorney of Atoka county, concerning the work of Commissioner Sells, and was in part:

"It is our earnest desire to co-operate with him to the end that his policies which look to the speedy, honest and economical settlement of our Indian affairs, be effectively carried out; Therefore, we express our appreciation to the commissioner for his visit and the earnest and purposeful manner in which he approaches the consideration of our problems. We express to him our earnest purpose to cordially co-operate with him to the end that his policies may be speedily and efficiently carried out and we consider it a reason for congratulation, which we desire to express, that the National Administration in its wisdom selected such an earnest, capable, purposeful, Christian gentleman as Commissioner Sells to be the head of the Indian bureau of the Nation."

Judge E. P. Hill, member of the legislature from Pittsburg county, one of the authors of the Indian probate bill, which failed at the fourth session, said last night that the rules and regulations adopted at McAlester and in Muskogee contained practically all of the probate bill's provisions.

"The rules, if carried out," said Judge Hill, "will do much to correct the defects and delinquencies which appear to have existed in a number of counties. Rules may be broken or abrogated. What ought to be is a strong law put in effect by the State of Oklahoma, and that is what we tried to do last winter, but the Senate saw fit to kill the bill after the House had passed it."

It also developed that substantially the rules adopted by the four nations are being applied in many counties of the Choctaw Nation.

REGISTER OF DEEDS OFFICE BUSY.

December was one of the busiest months the Register of Deeds Moore has had as will be seen from the report filed with the county commissioners. The report follows:

To the Honorable Board of County Commissioners of Bryan county, Oklahoma, Gentlemen:

You will find report for the month of December, 1913, as per records of this office as follows:

Instruments filed for record—\$732.15
Chattel Mortgages filed (1113) \$278.25
Fees collected on miscellaneous items—\$19.55

Total—\$1,029.95
Treasurers' certificate check No. 2681 attached—\$1,029.95

J. M. MOORE,
Register of Deeds, Bryan County, Okla.

LIMIT USE OF COURT ROOM.

Commissioners Forbid Sunday Political Meetings There.—Fee of \$100 Each Time Used.

The Bryan county commissioners, by a unanimous vote this week set their seal of disapproval upon the practice which has heretofore prevailed of allowing political organizations the use of the district court room on Sunday afternoons. The room has been used heretofore on Sunday afternoons by the Socialists as a gathering place and to hold their meetings, and the commissioners thought that this should not be, and this morning when the question was up the request for future use was denied to all political parties who desire to meet on Sunday afternoon.

A resolution was also passed by the body charging a fee of \$100 for all political parties each time they hold a meeting in the court room, fifty cents of the amount going to the janitor for his extra work and the other to the supply fund of the county to assist in defraying the expense of coal light, etc.

"THE ROSE MAID" WALTZ A WHISTLING FAVORITE.

Since the great New York success of "The Rose Maid," the most recent of the big operatic productions brought to America from Vienna and which is booked for the Durant Opera House on Jan. 13th, the fascinating musical numbers have become whistling favorites in every city where the opera has been heard. Its most talked about melody, "Roses Bloom for Lovers," known on both sides the Atlantic, with its pretty chorus:

"Roses bloom for lovers
Neath a sky of blue,
In each petal hovers
Honey, wet with dew;
Paint hearts beat stronger
Under their perfume,
Love will linger longer
Where the roses bloom."

GENERAL DESERTS FEDERALS.

Presidio, Tex., Jan. 7.—Gen. Jose Manilla, one of the most prominent commanders of the Mexican Federal army, today deserted, crossed over to the American side from Ojinaga, Mexico, and was held by the United States border patrol.

Accompanied by his son, a Captain, Gen. Manilla gave a fictitious name to the immigration officials, but later admitted his identity to Major McNamee, commanding United States troops, and asked asylum in this country. He had discarded his sword on the Mexican side. Pending orders from Brig. Gen. Bliss at San Antonio he was placed in custody.

TYPEWRITER BARGAINS.

Oliver Model five, slightly used, and you would think it a brand new one. Price \$70.00. Another one used about the same length of time, and in equally as good condition for \$65.00. E. M. Evans, Durant, Okla.

All kinds of legal blanks at the News office. Mail orders promptly attended to when accompanied with remittance.

Manila second sheets at the News office for 65c per 1000. Just the thing for keeping carbon copies of your business correspondence.

WORKING THE ROADS.

Representatives From Each Business House Handling Picks and Shovels.

As the News goes to press today (Thursday afternoon) dozens of men in every walk of life are at work fixing up the bad places in every road leading out of this city, and in every township in the county almost, systematic road work is being done. Thursday was set aside by Governor Cruce as Good Roads Day for Oklahoma, and the work is on all over the State. The county commissioners are co-operating with the citizens in the work, and where culverts are necessary to bridge over the bad places the commissioners are furnishing the material necessary.

An enthusiastic meeting was held at the city hall Wednesday evening at 4:30 o'clock, attended by representatives of almost every business in town, where the details of the plans for the day's work Thursday were formulated, and the squads of workmen laid out.

Workers who were allotted to work the roads south of town toward Caddo were in good for sure, for an elegant dinner was prepared by Messdames Bill Durant, W. W. Garrett, Geo. Danton, Moore, J. L. Blanchard, G. W. Cotton, and others which was carried to the men at the noon hour.

To supplement the work done by the business men Thursday, the good roads committee of the Durant Retailers' Association, of which W. S. Knight is treasurer, went among the business men of the city and collected the sum of \$145.00 in cash, which is being used to employ men to do work in bad places on all the roads that the road workers will not get to Thursday.

The road working spirit is becoming instilled into the very hearts of the people of this county, and with the work of the local merchants and citizens to help it along, it is growing rapidly. If every individual will show the interest that a few have shown this week, it will not be many months until Bryan county can boast of as good roads as any county in any State.

1912 BOOK CONTRACTS ORDERED CARRIED OUT.

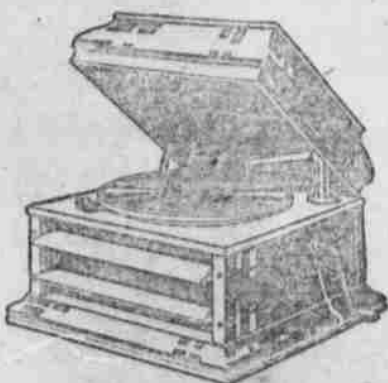
Oklahoma City, Ok., Jan. 8.—District Judge J. J. Carney Saturday issued a peremptory writ of mandamus directing the present State board of education to carry out the contract for textbooks entered into in 1912 by the old board. Two months ago Judge Carney granted an alternative writ of mandamus against the board. The board, through the attorney general, filed a lengthy answer, setting forth why it should not comply with the order of the court. After many hearings, Judge Carney issued the peremptory order today.

The application for the writ was made by Wheeler & Company and several other book companies, who would be benefited by the 1912 adoption. The board of education, through its attorneys, took exception to the ruling of the court and served notes that an appeal to the State supreme court would be taken immediately. Judge Carney stayed execution of his order until January 13 to allow the board to appeal to the higher court for an order superseding that of the lower court.

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We do this because we know the value of our courses. This is why the best businesses endorse us.

Remember when you finish your course your position is not with the college but with business men and business firms. Then attend a business College endorsed by the leading business firms.

References: Hon. Green Thompson
Guaranteed State Bank

Durant Commercial College

Durant, Oklahoma